

Ordinance No. 121064

Council Bill No. 114455

AN ORDINANCE accepting the deed to certain property in Block 23 of Pike's 2nd Addition to the Union City, for general municipal purposes, to be used initially for the new Montlake Branch Library.

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: Peter Steinbreck

Committee Action:

1-0 Peter Steinbreck

1-27-03 Passed 9-0

CF No. _____

| | | |
|------------------------------|----------------------|---------------------------------------------------------------------------|
| Date Introduced: | <u>JAN 21 2003</u> | |
| Date 1st Referred: | To: (committee) | <u>Parks, Education & Libraries Committee</u> |
| <u>JAN 21 2003</u> | | |
| Date Re-Referred: | To: (committee) | |
| | | |
| Date Re-Referred: | To: (committee) | |
| | | |
| Date of Final Passage: | Full Council Vote: | |
| <u>1-27-03</u> | <u>9-0</u> | |
| Date Presented to Mayor: | Date Approved: | |
| <u>1-27-03</u> | <u>2/6/03</u> | |
| Date Returned to City Clerk: | Date Published: | T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/> |
| <u>2/1/03</u> | <u>2/1/03</u> | |
| Date Vetted by Mayor: | Date Veto Published: | |
| | | |
| Date Passed Over Veto: | Veto Sustained: | |
| | | |

This file is complete and ready for presentation to Full Council. Com

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Councilmember

Committee Action:

1-0 Peter Steinbrück

1-27-03 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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Indexed

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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ORDINANCE 121064

AN ORDINANCE accepting the deed to certain property in Block 23 of Pike's 2nd Addition to the Union City, for general municipal purposes, to be used initially for the new Montlake Branch Library.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the City Librarian and recommended by the Board of Trustees of the Seattle Public Library and the Mayor, the statutory warranty deed executed by James Joseph Hanay and Bernadette Mendoza Hanay, husband and wife, as Grantors, and recorded under King County Recording Number 20021105001447 conveying the following described real property situated in Seattle, King County, Washington, is hereby accepted and the real property conveyed therein shall be used for general municipal purposes, initially under the jurisdiction of the Seattle Public Library, for the new Montlake Branch Library:

The east 20 feet of Lot 10, and the west 30 feet of Lot 11 in Block 23 of Pike's 2nd Addition to the Union City, as per plat recorded in Volume 1 of Plats, page 65A, records of King County Auditor;

Together with an easement for shared community driveway without parking rights located on the north 9 feet of Lot 12 and the north 8 feet of the east 12 feet of Lot 11 and the north 24 feet of the east 30 feet less the east 12 feet of Lot 11, Block 23, in said addition;

And together with an easement for a shared community driveway without parking rights, located on the south 9 feet of Lot 6 and the south 8 feet of the east 18 feet of Lot 5 and on the south 2 feet of the east 30 feet less the east 18 feet of Lot 5, Block 23 in said addition;

Situation in the City of Seattle, County of King, State of Washington.

Section 2. All proceeds from the use of said property pending development shall be deposited in Libraries for All UTGO Fund (#31910) and shall be used to partially offset the acquisition and maintenance costs of the property described in Section 1.



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1 Section 3. This transaction is exempt from the provisions of Chapter 8.26 RCW (Real Property
2 Acquisition and Relocation Policy) because the acquisition did not occur in connection with a program
3 or project receiving federal or state financial assistance.

4 Section 4. All proceeds from the sale of this or any other portion of the properties acquired for
5 construction of the new Montlake branch library occurring within sixty (60) months from the date of this
6 ordinance shall be redeposited in the *Libraries for All* UTGO Fund (#31910).

7 Section 5. Any acts made consistent with the authority and prior to the effective date of this
8 ordinance are hereby ratified and confirmed.

9 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its
10 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
11 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

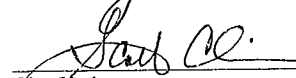
12 Passed by the City Council the 27th day of January, 2003, and signed by me in open
13 session in authentication of its passage this 27th day of January, 2003.

14 
15 President of the City Council

16 Approved by me this 6 day of February, 2003

17 
18 Gregory J. Nickels, Mayor

19 Filed by me this 7th day of February, 2003.

20 
21 City Clerk

22 (Seal)

23 Attachment A: STATUTORY WARRANTY DEED including Exhibits A and B.

24

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

November 22, 2002

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

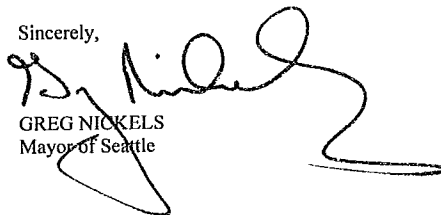
Dear Council President Steinbrueck:

I am transmitting the attached ordinance for Council consideration.

The attached legislation authorizes acceptance of a deed to a property located at 2222 E. McGraw Street for the new 5,000 square foot Montlake Library. The Libraries for All capital program, approved by Seattle voters in 1998, includes the replacement of the Montlake Library, scheduled to be completed in 2004. Four adjacent parcels are being acquired for the new site. With two parcels already purchased, this is the third deed being brought to the Council for acceptance. The cost of the acquisition, \$372,000.00, will be paid from Libraries for All (LFA) bond proceeds. The Library has signed a purchase and sale agreement with the Seattle Housing Authority (SHA) for a fourth parcel and expects to bring that deed to the Council once the property closes in 2003. Acquisition of the four parcels allows for the most design flexibility.

Thank you for your consideration of this legislation. Should you have questions please contact Bob Goldstein at 386-4648.

Sincerely,



GREG NICKELS
Mayor of Seattle

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600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



20021105001447

TRANSACTION II UD 21 00
PAGE 021 OF 023
11/28/2002 12:38
KING COUNTY, WA

E1920195

Name City of Seattle
Address 800 Pike Street
City, State, Zip Seattle, Washington 98101
11/23/2002 12:34
KING COUNTY, WA
FOX 15 \$21.00
SALE \$372,000.00
PAGE 001 OF 002

671899sp 800-100501447
Reference# (If applicable)
Grantor(s) (1) Hanay James Joseph (2) Hanay Bernadette Mendoza 3/21/03
Grantee(s) (1) City of Seattle (2)
Addit Grantor(s) on pg Addit Grantee(s) on pg
Legal Description(abbr) Ptns Lots 10 - 11 Block 23 Pike's Add to
Union City Addit legal(s) on pg 2
Assessor's Tax Parcel ID# Acct #678820-0826

STATUTORY WARRANTY DEED

THE GRANTOR James Joseph Hanay and Bernadette Mendoza Hanay, husband and wife, for and in consideration of TEN AND NO/100 DOLLARS AND OTHER VALUABLE CONSIDERATION, in hand paid, conveys and warrants to City of Seattle, a Washington Municipal Corporation, the following described real estate, situated in the County of King, State of Washington

See Legal Description attached hereto and marked Exhibit "A".

SUBJECT TO Attached hereto as Exhibit "B" and by this reference incorporated herein

Dated: October 29, 2002

FILED FOR RECORD AT THE REQUEST OF
TRANSACTION TITLE INSURANCE CO

James Joseph Hanay
Bernadette Mendoza Hanay

STATE OF WASHINGTON }
COUNTY OF King } ss.

On this day personally appeared before me James Joseph Hanay and Bernadette Mendoza Hanay to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned

GIVEN under my hand and official seal this 5th day of November 2002

Linda K. Ellis
Notary Public in and for the State of Washington,
residing at Seattle, WA
My appointment expires 3/25/03

LINDA K. ELLIS
STATE OF WASHINGTON
NOTARY PUBLIC
EXPIRATION DATE 3-25-03



Transnation
A LENDER'S COMPANY

Form 7176-3 (Rev 12-96) Transnation Title Insurance Company

LPB10



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2002 110 5001447

EXHIBIT A

THE EAST 20 FEET OF LOT 10, AND THE WEST 30 FEET OF LOT 11 IN BLOCK 23 OF PIKE'S 2ND ADDITION TO THE UNION CITY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 65A, RECORDS OF KING COUNTY AUDITOR;

TOGETHER WITH AN EASEMENT FOR SHARED COMMUNITY DRIVEWAY WITHOUT PARKING RIGHTS LOCATED ON THE NORTH 9 FEET OF LOT 12 AND THE NORTH 8 FEET OF THE EAST 12 FEET OF LOT 11 AND THE NORTH 24 FEET OF THE EAST 30 FEET LESS THE EAST 12 FEET OF LOT 11, BLOCK 23, IN SAID ADDITION;

AND TOGETHER WITH AN EASEMENT FOR A SHARED COMMUNITY DRIVEWAY WITHOUT PARKING RIGHTS, LOCATED ON THE SOUTH 9 FEET OF LOT 6 AND THE SOUTH 8 FEET OF THE EAST 18 FEET OF LOT 5 AND ON THE SOUTH 2 FEET OF THE EAST 30 FEET LESS THE EAST 18 FEET OF LOT 5, BLOCK 23 IN SAID ADDITION;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

2002 110 5001447

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EXHIBIT "B"

Subject to:

SIDE SEWER EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

6 FEET IN WIDTH, LOCATED ALONG LINE, AS CONSTRUCTED:
RECORDED: FEBRUARY 4, 1980
RECORDING NO.: 8002040730

Said easement contains a covenant to bear equal share of cost of construction, maintenance or repair of same.

Covenant to bear equal share in the cost of construction or repair of community driveway, easement for which was granted over adjacent property by instrument recorded under Recording No. 8503140332.

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: AUTOMOTIVE VEHICLE PARKING
AREA AFFECTED: THE NORTH 18 FEET OF THE WEST 30
FEET OF LOT 11
RECORDING NO. 8503140933

Said easement contains a covenant to bear equal share of cost of construction, maintenance or repair of same.

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

PURPOSE: SHARED COMMUNITY DRIVEWAY
WITHOUT PARKING RIGHTS
AREA AFFECTED: THE NORTH 16 FEET OF WEST 30 FEET
LESS THE WEST 15 FEET OF LOT 11
RECORDING NOS. 8905150879 and 8905240382

Said easement contains a covenant to bear equal share of cost of construction, maintenance or repair of same.

Covenant to bear equal share in the cost of construction or repair of shared community driveway without parking rights and for a community sewer right of way, easement for which was granted over adjacent property by instruments recorded under Recording Nos. 8905150878 and 8905261437.

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2002 110 5061467



Fiscal Note – Montlake Deed Acceptance

| | | |
|----------------------------------------------|-------------------------------------------------------|---------------------------------------------------|
| Department: Seattle Public Library | Contact Person/Phone: Bob Goldstein, 6-4648 | CBO Analyst/Phone: Tim Morrison, 5-1759 |
|----------------------------------------------|-------------------------------------------------------|---------------------------------------------------|

Legislation Title:

AN ORDINANCE accepting the deed to certain property in Block 23 of Pike's 2nd Addition to the Union City, for general municipal purposes, to be used initially for the new Montlake Branch Library.

Summary of the Legislation:

This legislation authorizes acceptance of a deed to property located at 2222 E. McGraw Street in the Montlake neighborhood for the new Montlake Branch Library.

Background (Include justification for the legislation and funding history, if applicable):

The 1998 *Libraries for All* capital program, approved by Seattle voters in November 1998, includes replacement of the 1574 square foot Montlake Library. Ordinance #119378, part of the *Libraries for All* legislation, authorizes the Library Board to acquire property for branch libraries. After an extensive community process to site the new library, the Library Board decided to build the new Montlake Library on a new site comprised of four parcels at the corner of East McGraw and 24th Avenue East. This is the third deed being brought to the Council for acceptance. The cost of the acquisition, \$372,000.00, will be paid from *Libraries for All* (LFA) bond proceeds. The Library has signed a purchase and sale agreement with the Seattle Housing Authority (SHA) for a fourth parcel and expects to bring that deed to the Council once the property closes in 2003. Acquisition of the four parcels allows for the most design flexibility. The Library may sell any surplus land following construction of this branch to offset land costs.

Public Private Partnership Review Status:

Is the project referenced in the legislation subject to P4 review? No.

Is the legislation subject to public hearing requirements? If yes, what public hearings have been held to date?

This legislation is not subject to a public hearing requirement.

Fiscal Sustainability Issues (related to grant awards): (N/A)

Estimated Expenditure Impacts: Purchase price of property at 2222 E. McGraw Street. The cost of the acquisition, along with the other two acquisitions to date, exceeds the land budget established for the Montlake Library. Interest earnings from the Libraries for All UTGO bond fund will finance the incremental cost. The Library may sell any surplus land following construction of this branch to offset land costs.

| FUND (List # and/or Account) | 2002 |
|-------------------------------------------|--------------|
| #31910 (Libraries for All UTGO Bond Fund) | \$372,000.00 |

One-time \$ 372,000.00

On-going \$ N/A

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Estimated Revenue Impacts:

| FUND (List # and/or Account) | 2002 | 2003 |
|-------------------------------------------|---------------|---------------|
| #31910 (Libraries for All UTGO Bond Fund) | Up to \$2,200 | Up to \$9,900 |
| One time up to \$9,000 | | |

Estimated rental income from tenants occupying the property prior to construction of the new Montlake Library for the period November 2002 to September 2003 is noted above. Note: any required maintenance of the property prior to Library use or sale would be paid for from rental income received.

Estimated FTE Impacts: (N/A)

Other Issues (including long-term implications of the legislation): (N/A)

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STATE OF WASHINGTON - KING COUNTY

--SS.

155051
City of Seattle, Clerk's Office

No. TITLE ONLY ORDINANCE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CTOT: ORDINANCE 121061-65

was published on

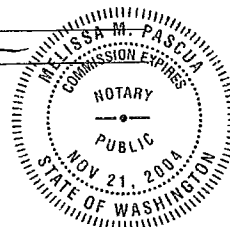
2/20/2003

J. Stedman
Subscribed and sworn to before me on

2/20/2003

Melissa M. Pasqua
Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



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State of Washington, King County

| City of Seattle |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TITLE ONLY PUBLICATION The full text of the following ordinances, passed by the City Council on January 27, 2003, and published here by title only, will be mailed upon request, or can be accessed electronically at http://clerk.ci.seattle.wa.us . For further information, contact the Seattle City Clerk at 624-3244. |
| ORDINANCE NO. 121085 AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof. |
| ORDINANCE NO. 121081 AN ORDINANCE relating to City Council Oversight of the City's utilities; increasing the appropriation in the 2003 budget of the Legislative Department; decreasing the appropriation in the Reserve for Council Oversight of Utilities; and creating exempt positions in the Legislative Department, all by a two-thirds vote of the City Council. |
| ORDINANCE NO. 121084 AN ORDINANCE accepting the deed to certain property in Block 23 of Pike's 2nd Addition to the Union City, for general municipal purposes, to be used initially for the new Montlake Branch Library. |
| ORDINANCE NO. 121082 AN ORDINANCE relating to the City Light Department; authorizing the purchase of carbon dioxide offsets through an assignment and purchase agreement with the Climate Trust, a non-profit organization established for the purpose of acquiring greenhouse gas offsets. |
| Publication ordered by JUDITH PIPPIN, City Clerk. Date of publication in the Seattle Daily Journal of Commerce, February 20, 2003. 2/20(155051) |

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